

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION**

HEARING COMPONENTS, INC.,	:	
a Minnesota corporation,	:	
	:	
Plaintiff	:	
	:	
v.	:	CIVIL ACTION NO. 9:07-cv-104 (RHC)
	:	JURY TRIAL DEMANDED
SHURE, INC.,	:	
an Illinois corporation,	:	
	:	
Defendant.	:	
	:	

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**HEARING COMPONENTS, INC.’S ANSWER TO SHURE INCORPORATED’S  
FIRST AMENDED COUNTERCLAIMS**

Counterclaim Defendant, Hearing Components, Inc. (“Hearing Components” or “Counterclaim Defendant”), for its Answer to Defendant Shure, Inc.’s (“Shure” or “Counterclaim Plaintiff”), First Amended Counterclaim, upon knowledge as to its own acts, and upon information and belief as to all other matters, hereby responds as follows:

**COUNTERCLAIM FOR DECLARATORY JUDGMENT**

1.     Hearing Components admits the allegations of paragraph 1.
2.     Hearing Components admits the allegations of paragraph 2.
3.     Hearing Components admits that the Counterclaim purports to state a claim arising under the declaratory judgment laws of the United States, Title 28 of the United States Code, but denies that Shure’s Counterclaim states a valid claim. Hearing Components admits

that this Court has subject matter jurisdiction over disputes arising under the declaratory judgment laws of the United States, but denies that Shure states a valid counterclaim.

4. Hearing Components admits the allegations of paragraph 4.
5. Hearing Components admits the allegations of paragraph 5.

**COUNT I – PATENT NON-INFRINGEMENT AND INVALIDITY**

6. Hearing Components realleges and incorporates by reference each of the answers of paragraphs 1 through 5 of its Reply above.

7. Denied.
8. Denied.
9. Denied.

**COUNT II – INEQUITABLE CONDUCT AS TO THE ‘076 PATENT AND INFECTIOUS UNENFORCEABILITY OF THE ‘151 PATENT**

10. Hearing Components realleges and incorporates by reference each of the answers of paragraphs 1 through 5 of its Reply above.

11. Denied.
12. Denied.
13. Denied.
14. Denied.
15. Denied.
16. Denied.

**COUNT III – INEQUITABLE CONDUCT AS TO THE ‘151 PATENT AND INFECTIOUS UNENFORCEABILITY OF THE ‘076 PATENT**

17. Hearing Components realleges and incorporates by reference each of the answers of paragraphs 1 through 5 of its Reply above.
18. Denied.
19. Denied.
20. Denied.
21. Denied.
22. Denied.
23. Denied.

**COUNT IV – INEQUITABLE CONDUCT AS TO THE ‘920 PATENT**

24. Hearing Components realleges and incorporates by reference each of the answers of paragraphs 1 through 5 of its Reply above.
25. Denied.
26. Denied.
27. Denied.
28. Denied.
29. Denied.

**WHEREFORE**, Hearing Components respectfully requests that the Court find in its favor on all issues, dismiss Shure’s Counterclaims with prejudice, and award Hearing Components any other legal or equitable relief that the Court may deem as just and proper.

Respectfully submitted,

Dated: June 19, 2008

s/ Eric H. Findlay  
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**CERTIFICATE OF SERVICE**

This is to certify that a true copy of this document has been forwarded, via electronic mail to all counsel of record on this 19<sup>th</sup> day of June 2008.

/s/ Eric H. Findlay  
Eric H. Findlay